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10/653,757	09/03/2003	Steven Raymond Lustig	CL2001USNA	3669

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LEGAL PATENT RECORDS CENTER
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EXAMINER

WASHBURN, DOUGLAS N

ART UNIT	PAPER NUMBER
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2863

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/653,757

Applicant(s)

LUSTIG ET AL.

Examiner

Douglas N. Washburn

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-37 and 39-88 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 and 69-82 is/are allowed.
- 6) ☒ Claim(s) 11-13-15, 17-37, 39-68 and 83-88 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Drawings***

1 The drawings are objected to because each drawing sheet submitted after the filing date of an application **must be labeled** in the top margin as either **"Replacement Sheet"** or **"New Sheet"**. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either **"Replacement Sheet"** or **"New Sheet"** pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Response to Amendment

2 Applicant amendment overcomes §102(e) rejection of claims 1-5, 17-20, 37, 39-41, 65-68, 83 and 85-88 and the rejection is withdrawn.

Applicant amendment fails to overcome §102(e) rejection of claims 11, 13-15 and 49-54 and the rejection is maintained.

Applicant amendment fails to overcome objection to claim 12 and the objection is maintained.

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Applicant amendment overcomes objection to specification and the objection is withdrawn.

Applicant amendment overcomes objection to claims 6-10, 21, 69-82 and 84 the objection is withdrawn.

The indicated allowability of claims 21-36 and 42 is withdrawn in view of the newly discovered reference to simultaneously reacting one or more members of a subgroup of the group of samples with a fluid in the sealed vessel; simultaneously exposing each sample in a second chamber of the vessel, which is isolated from the first chamber, to a reactive fluid; simultaneously exposing all samples in a second chamber of the vessel, which is isolated from the first chamber, to a reactive fluid. Rejections based on the newly cited reference follow.

Claim Rejections - 35 USC § 101

2 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 11-15, 17-37 and 39-42 are rejected under 35 U.S.C. 101 because they lack a useful, concrete, tangible result. See MPEP 2106 IV B (1) (b).

For instance in claims 11, 17, 22, 27, 32 and 37 the method steps of: reacting and analyzing are data manipulation. This fails to present a concrete, tangible useful result. An example of a concrete, tangible useful result may include displaying, storing for further use, generating a control signal etc. of the analysis. The applicant should review the disclosure to determine what type of tangible result is being carried out in this instant application and such limitation be included in the claim. For further guidance see

<http://www.uspto.gov/web/offices/com/sol/og/2005/week47/patgupa.htm>

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Claims 12-15 depend from claim 11;
Claims 18-21 depend from claim 17;
Claims 23-26 depend from claim 22;
Claims 28-31 depend from claim 27;
Claims 33-36 depend from claim 32;
And claims 39-42 depend from claim 37.

Claim Rejections - 35 USC § 102

3 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11, 13-15, 17-20, 37, 39-41 and 43-68, are rejected under 35 U.S.C. 102(e) as being anticipated by Paterson et al. (US 6,962,644) (Hereafter referred to as Paterson).

Paterson teaches:

Simultaneously reacting all samples with a fluid (column 9, lines 59-64) in a first chamber (column 12, lines 10-12) in regard to claim 11;

During reaction of samples with a fluid, subjecting each sample in sequence to analysis (column 5, lines 20-53) in a second chamber wherein the first chamber is isolated from the second chamber (column 12, lines 20 and 21) in regard to claim 11;

Analysis is optical analysis (column 5, lines 43-53) in regard to claim 13;

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Analysis is selected from the group consisting of ultrasonic, electrostatic, magnetic, radio frequency (radio frequency; column 5, lines 43-53) or x-ray analysis in regard to claim 14;

Each sample is reacted with a fluid in a chamber in which temperature or pressure is controlled (column 7, lines 21-24) in regard to claim 15;

Simultaneously covering all samples in a sealed vessel (column 12, lines 10-12) in regard to claim 17;

Simultaneously reacting all samples with a fluid in a sealed vessel (column 1, lines 60-67) in regard to claim 17;

After completion of a reaction of samples with a fluid subjecting each sample in sequence to analysis in a sealed vessel (column 5, lines 22-30) in regard to claim 17;

Analysis is optical analysis (column 5, lines 43-53) in regard to claim 18;

Analysis is selected from the group consisting of ultrasonic, electrostatic, magnetic, radio frequency (radio frequency; column 5, lines 43-53) or x-ray analysis in regard to claim 19;

Each sample is reacted with the fluid in a chamber in which temperature or pressure is controlled (column 7, lines 21-24) in regard to claim 20;

Analysis is optical analysis (column 5, lines 8-14) in regard to claim 23;

Analysis is optical analysis (column 5, lines 8-14) in regard to claim 29;

Analysis is optical analysis (column 5, lines 8-14) in regard to claim 33;

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Placing one or more members of a group of samples in a position in a vessel to receive separate exposure to a reactive fluid (column 1, lines 63-67) in regard to claim 37;

Sliding one component of the sealed vessel relative to another component of the sealed vessel to simultaneously exposing samples to a fluid (column 9, lines 59-64; column 10, lines 1-20) in regard to claim 37;

Subjecting in a sealed vessel each member of a group of samples to analysis (column 5, lines 43-53) in regard to claim 37;

Analysis is optical analysis (column 5, lines 43-53) in regard to claim 39;

Analysis is selected from the group consisting of ultrasonic, electrostatic, magnetic, radio frequency (radio frequency; column 5, lines 43-53) or x-ray analysis in regard to claim 40;

Each sample is exposed to reactive fluid in a chamber in which temperature or pressure is controlled (column 7, lines 21-24) in regard to claim 41;

A fluid distribution piece (gas distribution assembly; figure 4A, element 216) to simultaneously expose each sample to a reactive fluid (column 1, lines 35-38) in regard to claim 43;

A holder for a group of samples (wafer support; figure 4A, element 208) (column 5, lines 55-60; figure 4A) in regard to claim 43;

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An analyzer (process controller; column 4, lines 1-14; figure 2, element 223) wherein the fluid distribution piece is slidable with respect to the holder (column 16, lines 10-16) in regard to claim 43;

A fluid distribution system to simultaneously expose only the members of a subgroup of the group of samples to a reactive fluid (column 1, 60 et seq; column 2, lines 1-13) in regard to claim 44;

The analyzer performs optical analysis (column 5, lines 8-19) in regard to claim 45;

The analyzer performs a method of analysis selected from the group consisting of ultrasonic, electrostatic, magnetic, radio frequency (radio frequency; column 5, lines 43-53) or x-ray analysis in regard to claim 46;

The temperature or the pressure is controlled in the reaction chamber in which each sample is reacted with the fluid (column 7, lines 4-19) in regard to claim 47;

The fluid distribution system is isolated from the analyzer (column 5, lines 55-63) in regard to claim 48;

A fluid distribution system to simultaneously expose each sample to a reactive fluid (column 5, lines 66 et seq; column 6, lines 11-14; figure 3 element 223; figure 4A, element 208) in regard to claim 49;

An analyzer (process controller; column 4, lines 1-14; figure 2, element 223) in regard to claim 49;

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A holder for a group of samples (wafer support; figure 4A, element 208) wherein the fluid distribution piece is slidable with respect to the analyzer (column 16, lines 10-16) in regard to claim 49;

A fluid distribution system to simultaneously expose only the members of a subgroup of the group of samples to a reactive fluid (column 1, 60 et seq; column 2, lines 1-13) in regard to claim 50;

An analyzer performs optical analysis (column 5, lines 43-53) in regard to claim 51;

An analyzer performs a method of analysis selected from the group consisting of ultrasonic, electrostatic, magnetic, radio frequency (radio frequency; column 5, lines 43-53) or x-ray analysis in regard to claim 52;

A chamber in which temperature or pressure is controlled of each sample is controlled (column 7, lines 63 et seq; column 8, lines 1-6) in regard to claim 53;

A fluid distribution system is isolated from an analyzer (column 5, lines 60-63) in regard to claim 54;

A fluid distribution system to simultaneously expose only the members of a subgroup of the group of samples to a reactive fluid (column 1, 60 et seq; column 2, lines 1-13) in regard to claim 55;

A holder for a group of samples (wafer support; figure 4A, element 208) slidable with respect to the fluid distribution system (column 16, lines 10-16) in regard to claim 55;

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An analyzer (process controller; column 4, lines 1-14; figure 2, element 223) in regard to claim 55;

An analyzer performs optical analysis (column 5, lines 43-53) in regard to claim 56;

An analyzer performs a method of analysis selected from the group consisting of ultrasonic, electrostatic, magnetic, radio frequency (radio frequency; column 5, lines 43-53) or x-ray analysis in regard to claim 57;

The temperature or pressure is controlled in the chamber in which the member of the subgroup of samples are exposed with the fluid (column 7, lines 21-24) in regard to claim 58;

The fluid distribution system is isolated from the analyzer (column 5, lines 60-63) in regard to claim 59;

A fluid distribution system to simultaneously expose only the members of a subgroup of the group of samples to a reactive fluid (column 1, 60 et seq; column 2, lines 1-13) in regard to claim 60;

An analyzer (process controller; column 4, lines 1-14; figure 2, element 223) in regard to claim 60;

A holder for a group of samples (wafer support; figure 4A, element 208) slidable with respect to the analyzer (column 16, lines 10-16) in regard to claim 60;

An analyzer performs optical analysis (column 5, lines 43-53) in regard to claim 61;

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An analyzer performs a method of analysis selected from the group consisting of ultrasonic, electrostatic, magnetic, radio frequency (radio frequency; column 5, lines 43-53) or x-ray analysis in regard to claim 62;

The temperature or pressure of each member of the subgroup of samples is controlled (column 7, lines 21-24) in regard to claim 63;

The fluid distribution system is isolated from the analyzer (column 5, lines 60-63) in regard to claim 64;

A fluid distribution system to simultaneously expose samples to a reactive fluid (column 5, lines 66 et seq; column 6, lines 11-14; figure 3 element 223; figure 4A, element 208) in regard to claim 65;

An analyzer in a sealed vessel that is isolated from a fluid distribution system (column 5, lines 60-63) in regard to claim 65;

An analyzer performs optical analysis (column 5, lines 43-53) in regard to claim 66;

An analyzer performs a method of analysis selected from the group consisting of ultrasonic, electrostatic, magnetic, radio frequency (radio frequency; column 5, lines 43-53) or x-ray analysis in regard to claim 67;

Temperature or pressure is controlled in a chamber in which each sample is exposed to a fluid (column 7, lines 21-24) in regard to claim 68;

A fluid distribution system to simultaneously expose each sample to a reactive fluid (column 5, lines 66 et seq; column 6, lines 11-14; figure 3 element 223; figure 4A, element 208) in regard to claim 83;

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A reaction chamber in which each sample is reacted with a fluid, the reaction chamber for each sample being separate and isolated from the reaction chamber for each other sample (column 1, lines 63-67) in regard to claim 83;

An analyzer (process controller; column 4, lines 1-14; figure 2, element 223) in regard to claim 83;

A fluid distribution system to simultaneously expose only the members of a subgroup of the group of samples to a reactive fluid (column 1, 60 et seq; column 2, lines 1-13) in regard to claim 84;

An analyzer performs optical analysis (column 5, lines 43-53) in regard to claim 85;

An analyzer performs a method of analysis selected from the group consisting of ultrasonic, electrostatic, magnetic, radio frequency (radio frequency; column 5, lines 43-53) or x-ray analysis in regard to claim 86;

A temperature or pressure is controlled in a reaction chamber in which each sample is reacted with a fluid (column 7, lines 21-24) in regard to claim 87;

And a fluid distribution system is isolated from an analyzer (column 5, lines 60-63) in regard to claim 88.

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Claims 21, 22, 25-27, 31, 32, 35, 36 and 42 are rejected under 35 U.S.C. 102(e) as being anticipated by Erden et al. (US 2003/0202911) (Hereafter referred to as Erden).

Erden teaches:

Each sample is reacted with the fluid in a first chamber (claim 1, lines 16-19), and each sample is subjected to analysis in a second chamber (claim 1, lines 19-28), and the first chamber is isolated from the second chamber (claim 1, lines 26-28) in regard to claim 21;

Simultaneously reacting all samples with a fluid in a sealed vessel (§ 0010, lines 9-11) in regard to claim 22;

Simultaneously reacting one or more members of a subgroup of the group of samples with a fluid in the sealed vessel (§ 0009, lines 25-36) in regard to claim 22;

Subjecting each sample to analysis (§ 0063, lines 19-21) in regard to claim 22;

Each of the samples, or each of the members of the subgroup of samples, is reacted with the fluid in a chamber (§ 0046, lines 24-29) in which the temperature or the pressure is controlled (§ 0046, lines 12-13) in regard to claim 25;

Each sample is reacted with the fluid in a first chamber (claim 1, lines 16-19), and each sample is subjected to analysis in a second chamber (claim 1, lines 19-28), and the first chamber is isolated from the second chamber (claim 1, lines 26-28) in regard to claim 26;

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Bringing all samples to a predetermined temperature in a first chamber of a vessel (claim 29) in regard to claim 27;

Simultaneously exposing each sample in a second chamber of the vessel, which is isolated from the first chamber, to a reactive fluid (claim 30, lines 12-14) in regard to claim 27;

Subjecting each sample to analysis (§ 0063, lines 19-21) in regard to claim 27;

Each sample is subjected to analysis in a third chamber, and the third chamber is isolated from the first and second chambers (claim 9, lines 15-18) in regard to claim 31;

Simultaneously exposing all samples to a non-reactive fluid in a first chamber of a vessel (§ 0044, lines 11-13) in regard to claim 32;

Simultaneously exposing all samples in a second chamber of the vessel, which is isolated from the first chamber, to a reactive fluid (§ 0044, lines 11-13) in regard to claim 32;

Subjecting each sample to analysis (§ 0063, lines 19-21) in regard to claim 32;

Each sample is exposed to the reactive fluid in a chamber (§ 0046, lines 24-29) in which the temperature or the pressure is controlled (§ 0046, lines 12-13) in regard to claim 35;

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Each sample is subjected to analysis in a third chamber, and the third chamber is isolated from the first and second chambers (claim 9, lines 15-18) in regard to claim 36;

And each sample is exposed to the reactive fluid in a first chamber (claim 1, lines 16-19), and each sample is subjected to analysis in a second chamber (claim 1, lines 19-28), and the first chamber is isolated from the second chamber (claim 1, lines 26-28) in regard to claim 42.

Claim Rejections - 35 USC § 103

4 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 83-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paterson in view of McNeilly et al. (US 3,623,712) (Hereafter referred to as McNeilly).

Paterson teaches:

A fluid distribution system to simultaneously expose each sample to a reactive fluid (column 5, lines 66 et seq; column 6, lines 11-14; figure 3 element 223; figure 4A, element 208) in regard to claim 83;

A reaction chamber in which each sample is reacted with a fluid, the reaction chamber for each sample being separate and isolated from the reaction chamber for each other sample (column 1, lines 63-67) in regard to claim 83;

An analyzer (process controller; column 4, lines 1-14; figure 2, element 223) in regard to claim 83;

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A fluid distribution system to simultaneously expose only the members of a subgroup of the group of samples to a reactive fluid (column 1, 60 et seq; column 2, lines 1-13) in regard to claim 84;

An analyzer performs optical analysis (column 5, lines 43-53) in regard to claim 85;

An analyzer performs a method of analysis selected from the group consisting of ultrasonic, electrostatic, magnetic, radio frequency (radio frequency; column 5, lines 43-53) or x-ray analysis in regard to claim 86;

A temperature or pressure is controlled in a reaction chamber in which each sample is reacted with a fluid (column 7, lines 21-24) in regard to claim 87;

And a fluid distribution system is isolated from an analyzer (column 5, lines 60-63) in regard to claim 88.

Paterson is silent regarding:

A slidable cover for each reaction chamber in regard to claim 83.

McNeilly teaches:

A slidable cover for each reaction chamber (column 4, lines 30-33) in regard to claim 83.

Regarding claims 83-88, it would have been obvious to one skilled in the art at the time of the instant invention to modify the teaching of Paterson of a lid (column 4, line 33) with the teaching of McNeilly of a slidable cover for a reaction chamber because a slidable cover for a reaction chamber would have permitted access to the interior of the housing.

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Claims 23, 29 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paterson in view of Erden.

Paterson teaches:

Analysis is optical analysis (column 5, lines 8-14) in regard to claim 23;

Analysis is optical analysis (column 5, lines 8-14) in regard to claim 29;

Subjecting each sample to analysis (column 5, lines 8-14) in regard to claim 32;

And analysis is optical analysis (column 5, lines 8-14) in regard to claim 33;

Paterson fails to fully teach:

Simultaneously reacting all samples with a fluid in a sealed vessel in regard to claim 22;

Simultaneously reacting one or more members of a subgroup of the group of samples with a fluid in the sealed vessel in regard to claim 22;

Subjecting each sample to analysis in regard to claim 22;

Each of the samples, or each of the members of the subgroup of samples, is reacted with the fluid in a chamber in which the temperature or the pressure is controlled in regard to claim 25;

Each sample is reacted with the fluid in a first chamber, and each sample is subjected to analysis in a second chamber, and the first chamber is isolated from the second chamber in regard to claim 26;

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Bringing all samples to a predetermined temperature in a first chamber of a vessel in regard to claim 27;

Simultaneously exposing each sample in a second chamber of the vessel, which is isolated from the first chamber, to a reactive fluid in regard to claim 27;

Subjecting each sample to analysis in regard to claim 27;

Simultaneously exposing all samples to a non-reactive fluid in a first chamber of a vessel in regard to claim 32;

Simultaneously exposing all samples in a second chamber of the vessel, which is isolated from the first chamber, to a reactive fluid in regard to claim 32;

Each sample is exposed to the reactive fluid in a chamber in which the temperature or the pressure is controlled in regard to claim 35;

Each sample is subjected to analysis in a third chamber, and the third chamber is isolated from the first and second chambers in regard to claim 36;

And each sample is exposed to the reactive fluid in a first chamber, and each sample is subjected to analysis in a second chamber, and the first chamber is isolated from the second chamber in regard to claim 42.

Erden teaches:

Each sample is reacted with the fluid in a first chamber (claim 1, lines 16-19), and each sample is subjected to analysis in a second chamber (claim 1, lines 19-28), and the first chamber is isolated from the second chamber (claim 1, lines 26-28) in regard to claim 21;

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Simultaneously reacting all samples with a fluid in a sealed vessel (¶ 0010, lines 9-11) in regard to claim 22;

Simultaneously reacting one or more members of a subgroup of the group of samples with a fluid in the sealed vessel (¶ 0009, lines 25-36) in regard to claim 22;

Subjecting each sample to analysis (¶ 0063, lines 19-21) in regard to claim 22;

Each of the samples, or each of the members of the subgroup of samples, is reacted with the fluid in a chamber (¶ 0046, lines 24-29) in which the temperature or the pressure is controlled (¶ 0046, lines 12-13) in regard to claim 25;

Each sample is reacted with the fluid in a first chamber (claim 1, lines 16-19), and each sample is subjected to analysis in a second chamber (claim 1, lines 19-28), and the first chamber is isolated from the second chamber (claim 1, lines 26-28) in regard to claim 26;

Bringing all samples to a predetermined temperature in a first chamber of a vessel (claim 29) in regard to claim 27;

Simultaneously exposing each sample in a second chamber of the vessel, which is isolated from the first chamber, to a reactive fluid (claim 30, lines 12-14) in regard to claim 27;

Subjecting each sample to analysis (¶ 0063, lines 19-21) in regard to claim 27;

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Each sample is subjected to analysis in a third chamber, and the third chamber is isolated from the first and second chambers (claim 9, lines 15-18) in regard to claim 31;

Simultaneously exposing all samples to a non-reactive fluid in a first chamber of a vessel (§ 0044, lines 11-13) in regard to claim 32;

Simultaneously exposing all samples in a second chamber of the vessel, which is isolated from the first chamber, to a reactive fluid (§ 0044, lines 11-13) in regard to claim 32;

Each sample is exposed to the reactive fluid in a chamber (§ 0046, lines 24-29) in which the temperature or the pressure is controlled (§ 0046, lines 12-13) in regard to claim 35;

Each sample is subjected to analysis in a third chamber, and the third chamber is isolated from the first and second chambers (claim 9, lines 15-18) in regard to claim 36;

And each sample is exposed to the reactive fluid in a first chamber (claim 1, lines 16-19), and each sample is subjected to analysis in a second chamber (claim 1, lines 19-28), and the first chamber is isolated from the second chamber (claim 1, lines 26-28) in regard to claim 42.

Regarding claims 23, 29 and 33 it would have been obvious to one skilled in the art at the time of the instant invention to modify the teaching of Paterson of analysis is optical analysis with the teaching of Erden of subjecting each sample to analysis because optical analysis would have provided controllable etch uniformity and improved throughput characteristics of a batch processing system.

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Allowable Subject Matter

5 Indications of allowance for claims 12 and 69-82 were previously disclosed in office action mailed 1 December 2005.

Indication of allowance for claims 43-48, 50, 55-64 and 84, previously disclosed in office action mailed 1 December 2005, is withdrawn due to amendment.

Claims 1-10 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 1 recites, in part, "**e) a reaction assembly, contained within the reactor housing, and movable in the housing bore in a direction along the axis of the housing** (emphasis added)". This feature **in combination with the remaining claimed structure** avoids the prior art of record.

Claims 2-10 depend from claim 1.

It is these limitations, which are not found, taught or suggested in the prior art of record, and are recited in the claimed combination that makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Response to Arguments

6 Applicant's arguments, see amendment, filed 1 June 2006, with respect to claim 1 have been fully considered and are persuasive. The §102(e) rejection of claims 1-5 has been withdrawn.

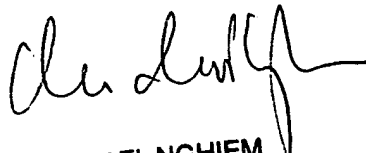
Conclusion

7 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas N. Washburn whose telephone number is (571) 272-2284. The examiner can normally be reached on Monday through Thursday 6:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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